



neccog

Testimony Regarding

**HB 7192 - An Act Concerning Municipal and Regional Opportunities And Efficiencies.
SB 1072 - An Act Concerning the Connecticut Advisory Commission on
Intergovernmental Relations**

made before the

Planning and Development Committee

March 20, 2019

My name is John Filchak. I am the Executive Director of the Northeastern Connecticut Council of Governments (NECCOG). I am here today to offer testimony on HB 7192 - An Act Concerning Municipal and Regional Opportunities and Efficiencies and SB 1072 - An Act Concerning the Connecticut Advisory Commission on Intergovernmental Relations. I want to make clear that the testimony I am providing has not yet been voted on by my council - which I expect to happen at our monthly meeting this Friday. That said, my 24 years as Executive Director of NECCOG, participation as a member of the MORE Commission, a member of the Advisory Commission on Intergovernmental Relations (ACIR) and most recently as a member of then Governor-elect Lamont's Shared Services Transition Team committee provide me with insight into the bills before you today that I hope are of value.

NECCOG is one of nine regional council of governments in Connecticut. Our sixteen member towns - Ashford, Brooklyn, Canterbury, Chaplin, Eastford, Hampton, Killingly, Plainfield, Pomfret, Putnam, Scotland, Sterling, Thompson, Union, Voluntown and Woodstock are rural - with a collective population of just under 96,000 persons and cover approximately ten percent of the state.

NECCOG is focused on achieving results for our member towns through regionalism — offering a range of voluntary — member initiated programs and services — depending on the collective and/or individual needs of our member towns. Our regional approach to problem solving enables our member towns to achieve efficiencies and economies of scale that individually would be difficult to realize. Examples of our regional programs include:

- The first (began in 1998) and still the largest **regional paramedic intercept program** in the state.
- A **regional Animal Services Program** (began in 2004) that now serves 19 towns with savings ranging from 10 - 60 percent and moving each participating town from a part-time ACO to full-time 24/7/365 service. We have additionally placed more than 6,000 animals with none euthanized due to a lack of kennel space.
- The first **regional property revaluation program** (began in 2009) that realizes an average savings of 47 percent to our participating towns.
- A **regional Human Services/Veteran's Advocate** (began in 2018) to assist people in need navigate the often complex maze of service providers.

HB 7192 and SB 1072 share the common element - strengthening both in terms of membership and mission of the ACIR. This is important because Connecticut needs, if it is to realize the potential of shared and regional services, a deliberative body within our state with the capacity to conduct research, discuss and recommend policies for intergovernmental efficiencies. ACIR, as currently constituted and funded, lacks this capacity. This can be changed with the enactment of the changes put forth by these bills.

Additionally, the detailed initiatives found in HB 7192 and several of the other bills before the Committee today, which contain many worthy concepts, would be best served by being first vetted by a body like the proposed ACIR. Many are big changes that require a great deal of thought, research and debate before being moved forward. ACIR, as proposed, provides a means to enact real change in how we deliver services.

Attached is a re-write of the sections addressing ACIR (which has been provided to OPM) that change the proposed membership, consolidates the stated functions, adds funding and makes several other suggestions. I would be pleased to discuss them in detail at any time convenient.

If the opportunity for measurable shared or regional services is to be realized, there needs to be a comprehensive realignment of which level of government (state, local or regional) should be responsible for what, and how. Possibilities are open to us for strengthening and maximizing the opportunities provided by our regional COGs for the efficient, effective and economic delivery of needed services. However, to realize the opportunities reforms must be made.

Thank you for your consideration of this testimony.

For more information, please contact:

John Filchak
Executive Director
john.filchak@neccog.org

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS
ALTERNATIVE LANGUAGE

Prepared by John Filchak, Northeastern Connecticut Council of Governments

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 2-79a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(a) (1) There shall be a Connecticut Advisory Commission on Intergovernmental Relations. The purpose of the commission shall be to enhance coordination and cooperation between the state and local governments. [The]

(2) Before July 1, 2019, the commission shall consist of the president pro tempore of the Senate, the speaker of the House of Representatives, the minority leader of the Senate, the minority leader of the House of Representatives, the Secretary of the Office of Policy and Management, the Commissioners of Education, Energy and Environmental Protection, Economic and Community Development, or their designees, and sixteen additional members as follows:

[(1)] (A) Six municipal officials appointed by the Governor, four of whom shall be selected from a list of nominees submitted to him by the Connecticut Conference of Municipalities and two of whom shall be selected from a list submitted by the Council of Small Towns. Two of such six officials shall be from towns having populations of twenty thousand or less persons, two shall be from towns having populations of more than twenty thousand but less than sixty thousand persons and two shall be from towns having populations of sixty thousand or more persons; [(2)] (B) two local public education officials appointed by the Governor, one of whom shall be selected from a list of nominees submitted to him by the Connecticut Association of Boards of Education and one of whom shall be selected from a list submitted by the Connecticut Association of School Administrators; [(3)] (C) one representative of a regional council of governments appointed by the Governor from a list of nominees submitted to him by the Regional Planning Association of Connecticut; [(4)] (D) five persons who do not hold elected or appointed office in state or local government, one of whom shall be appointed by the Governor, one of whom shall be appointed by the president pro tempore of the Senate, one of whom shall be appointed by the speaker of the House of Representatives, one of whom shall be appointed by the minority leader of the Senate and one of whom shall be appointed by the minority leader of the House of Representatives; [(5)] (E) one representative of the Connecticut Conference of Municipalities appointed by said conference; and [(6)] (F) one representative of the Council of

Small Towns appointed by said council. **[Each]**

(3) On and after July 1, 2019, the commission shall consist of the chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to planning and development, or their designees, the Secretary of the Office of Policy and Management, one representative from the House Congressional delegation or their designee and one representative from the United States Senate delegation or their designee and eighteen additional members as follows: (A) Eight municipal officials appointed by the Governor, four of whom shall be selected from a list of nominees submitted to the Governor by the Connecticut Conference of Municipalities and four of whom shall be selected from a list submitted by the Council of Small Towns. Two of such eight officials shall be from towns having populations of ten thousand or less persons, two shall be from towns having populations of more than ten thousand but less than thirty thousand persons, two shall be from towns having populations more than thirty thousand but less than sixty thousand persons and two shall be from towns of sixty thousand or more persons; (B) four local public education officials appointed by the Governor, two of whom shall be selected from a list of nominees submitted to the Governor by the Connecticut Association of Boards of Education and two of whom shall be selected from a list submitted by the Connecticut Association of School Administrators; (C) one representative of a regional council of governments appointed by the Governor from a list of nominees submitted to the Governor by the Connecticut Association of Councils of Governments; (D) one representative of a regional education service center appointed by the Governor from a list of nominees submitted to the Governor by the regional education service center alliance, (E) one representative of organized labor appointed by the Governor from a list of nominees submitted to the Governor by the Connecticut AFL-CIO; (E) one representative from commission on Women, Children and Seniors appointed by the Governor, (F) one representative from the Commission on Equity and Opportunity appointed by the Governor, (and G) one representative from the University of Connecticut Department of Public Policy.

(4) Before July 1, 2019, each member of the commission appointed pursuant to **[subdivisions (1) to (6)]** subparagraphs (A) to (F), inclusive, of subdivision (2) of this subsection shall serve for a term of two years. On and after July 1, 2019, each member of the commission appointed pursuant to subparagraphs (A) to (G), inclusive, of subdivision (3) of this subsection shall serve for a term of two years and may serve until a successor is appointed and has qualified. All other members shall serve for terms which are coterminous with their terms of office. The Governor shall appoint a chairperson and a vice-chairperson from among the commission members. Members of the General Assembly may serve as gubernatorial appointees to the commission.

Members of the commission shall not be compensated for their services but shall be reimbursed for necessary expenses incurred in the performance of their duties.

(b) The commission shall: (1) Serve as a forum for consultation among federal, state and local government officials; (2) conduct research on intergovernmental issues, including, but not limited to, the regionalization, sharing and consolidation of government services as well as the direct and indirect impacts of changes in the provision of services at different levels of government; (3) encourage and coordinate studies of intergovernmental issues by universities, research and consulting organizations and others; (4) maximizing the usage and securement of state and federal grant in aid and (5) [initiate policy development and make] develop models for sustainable, recurring savings and revenue growth while initiating policy development and making recommendations for consideration by all levels and branches of government. The commission shall issue, from time to time, public reports of its findings and recommendations. [and] Before July 1, 2019, the commission shall issue, annually, a public report on its activities. On and after July 1, 2019, the commission shall issue, annually, a public report on its activities, finding, research and a work plan, as described in subsection (c) of this section, for the next year. On and after July 1, 2020, such public report shall describe the status of all items in the prior year's work plan, including metrics to measure progress made, if any, from the prior year.

(c) In developing any work plan to be issued on and after July 1, 2019, the commission, shall, on or before October 15, 2019, and every six months thereafter until October 15, 2021, consider, analyze and make specific recommendations to the secretary for the accomplishment of, all aspects of regionalization, and sharing government services among state, regional and local bodies, which aspects may include, but not be limited to:

- (1) Standardization and alignment of various regions for the delivery of federal, state and local services;
- (2) Developing a plan for the redistricting or consolidating school services and school districts;
- (3) Efficiencies in the delivery of government services;
- (4) Maximizing the the application of technology including the standardization, enhancement or streamlining regarding the creation, collection and sharing of data;

(5) Alternative sources of revenue including revenue sharing;

(6) Labor relations, including coalition bargaining;

(7) Control and reduction of long-term liabilities of municipalities; and

(d) On and after July 1, 2019, the commission shall annually compile each fiscal impact statement completed for all laws passed by the general assembly related to municipalities and enacted into law in the preceding year to determine the actual net additional cost to school districts or municipalities from any new or expanded program or service that school districts or municipalities would be required to perform or administer under a new law.. The commission shall compile a report regarding the actual fiscal impact of laws enacted during the year covered by the report and forward those results to the governor, the leadership of the House and Senate, the Chairs and ranking members of the Finance Revenue and Bonding Committee and the chairs and ranking members of the Appropriations Committee. As used in this section, "net additional cost" means any cost incurred or anticipated to be incurred by a school district or municipality in performing or administering a new or expanded program or service required by a state law other than any of the following:

(1) A cost arising from the exercise of authority granted by a state law rather than from the performance of a duty or obligation imposed by a state law;

(2) A cost arising from a law passed as a result of a federal mandate.

[(c)] (d) On or before [October 1, 2019] the second Wednesday after the convening of the regular session of the General Assembly in 2020, and every four years thereafter on such second Wednesday, the commission shall submit to the General Assembly a report which lists each existing state mandate, as defined in subsection (a) of section 2-32b, and which (1) categorizes each mandate as constitutional, statutory or executive, **[(2) provides the date of original enactment or issuance along with a brief description of the history of the mandate, and (3) analyzes the costs incurred by]** and (2) describes the potential impacts on local governments **[in]** implementing the mandate. In each report the commission may also make recommendations on state mandates for consideration by the commission. On and after October 1, 1996, the report shall be submitted to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and budgets of state agencies, to any other joint standing committee of the General Assembly having cognizance and, upon request, to any member of the General Assembly. A summary of the report shall be submitted to each member of the General

Assembly if the summary is two pages or less and a notification of the report shall be submitted to each member if the summary is more than two pages. Submission shall be by mailing the report, summary or notification to the legislative address of each member of the committees or the General Assembly, as applicable. The provisions of this subsection shall not be construed to prevent the commission from making more frequent recommendations on state mandates.

~~[(d)]~~ ~~(e)~~ Commencing on or before ~~[the second Wednesday after the convening of the 1997 regular session of the General Assembly]~~ January 15, 1997, and every year thereafter except a year in which a report is filed pursuant to subsection ~~[(c)]~~ ~~(d)~~ of this section, the commission shall submit to the General Assembly a supplement to the report required in ~~[said subsection (c)]~~ subsection (d) of this section identifying any new mandates adopted and any mandates changed in the previous year.

~~[(e)]~~ ~~(f)~~ The Office of Policy and Management shall provide such staff as is necessary for the performance of the functions and duties of the Connecticut Advisory Commission on Intergovernmental Relations. Such persons may be exempt from the classified service. The Office of Policy and Management may be allocated funds, not to exceed two-million dollars annually from the Regional Performance Incentive Account as established under Section 4-66k of the General Statutes in the furtherance of its support for the Advisory Commission on Intergovernmental Relations.

Sec. 2. Section 2-32c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

On and after ~~[January 1, 2019]~~ July 1, 2019, the Connecticut Advisory Commission on Intergovernmental Relations, established pursuant to section 2-79a, as amended by this act, shall, not more than ninety days after adjournment of any regular or special session of the General Assembly or ~~[September first]~~ November fifteenth immediately following adjournment of a regular session, whichever is ~~[sooner]~~ later, submit to the speaker of the House of Representatives, the president pro tempore of the Senate, the majority leader of the House of Representatives, the majority leader of the Senate, the minority leader of the House of Representatives, ~~[and]~~ the minority leader of the Senate and the chief elected official of each municipality a report ~~[which]~~ that lists each state mandate enacted during said regular or special session of the General Assembly. ~~[Within five days of]~~ Not later than five days after receipt of the report, the speaker and the president pro tempore shall ~~[submit the report to the Secretary of the Office of Policy and Management and]~~ refer each state mandate to the joint standing committee

or select committee of the General Assembly having cognizance of the subject matter of the mandate. [The secretary shall provide notice of the report to the chief elected official of each municipality.]

Sec. 3. Section 4-66k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(a) There is established an account to be known as the “regional planning incentive account” which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law to be deposited in the account. Moneys in the account shall be expended by the Secretary of the Office of Policy and Management in accordance with subsection (b) of this section for the purposes of (1) [first] providing funding to regional [planning organizations] councils of governments in accordance with the provisions of subsections (b) and (c) of this section and then to (2) providing grants under the regional performance incentive program established pursuant to section 4-124s and (3) providing operational funds to the Office of Policy and Management in support of the Advisory Commission on Intergovernmental Relations.

[(b) For the fiscal year ending June 30, 2014, funds from the regional planning incentive account shall be distributed to each regional planning organization, as defined in section 4-124i, revision of 1958, revised to January 1, 2013, in the amount of one hundred twenty-five thousand dollars. Any regional council of governments that is comprised of any two or more regional planning organizations that voluntarily consolidate on or before December 31, 2013, shall receive an additional payment in an amount equal to the amount the regional planning organizations would have received if such regional planning organizations had not voluntarily consolidated.]

(c) Beginning in the fiscal year ending June 30, [2015] 2019, and annually thereafter, funds from the regional planning incentive account shall (1) be distributed to each regional council of governments formed pursuant to section 4-124j, in the amount of one hundred twenty-five thousand dollars plus fifty cents per capita, using population information from the most recent [federal decennial census] population estimate made by the Connecticut Department of Public Health. [Any regional council of governments that is comprised of any two or more regional planning organizations, as defined in section 4-124i, revision of 1958, revised to January 1, 2013, that voluntarily consolidated on or before December 31, 2013, shall receive a payment in the amount of one hundred twenty-five thousand dollars for each such regional planning organization that voluntarily consolidated on or before said date.], (2)

Sec. 3. Section 4-124s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

a) For purposes of this section:

(1) "Regional council of governments" means any such council organized under the provisions of sections 4-124i to 4-124p, inclusive;

(2) "Municipality" means a town, city or consolidated town and borough;

(3) "Legislative body" means the board of selectmen, town council, city council, board of alderman, board of directors, board of representatives or board of the warden and burgesses of a municipality;

(4) "Secretary" means the Secretary of the Office of Policy and Management or the designee of the secretary; and

(5) "Regional educational service center" has the same meaning as provided in section 10-282.

(b) There is established a regional performance incentive program that shall be administered by the Secretary of the Office of Policy and Management. *[On or before December 31, 2011, and annually thereafter,]* Any regional council of governments, *[any two or more municipalities acting through a regional council of governments, any economic development district]*, any regional educational service center or any combination thereof may submit a proposal to the secretary *for eighty-percent of the initial costs*: (1) The *[joint] regional* provision of any service that one or more participating municipalities of such council, educational service center or agency currently provide but which is not provided on a regional basis, (2) a planning study regarding the joint provision of any service on a regional basis, or (3) shared information technology services. A copy of said proposal shall be sent to the legislators representing said participating municipalities. Any *[local or regional board of education or]* regional educational service center *[serving a population greater than one hundred thousand]* may submit a proposal to the secretary for a regional special education initiative.

(c) (1) A regional council of governments, ~~[an economic development district,]~~ or a regional educational service center ~~[or a local or regional board of education]~~ shall submit each proposal in the form and manner the secretary prescribes and shall, at a minimum, provide the following information for each proposal: (A) Service or initiative description; (B) the explanation of the need for such service or initiative; (C) the method of delivering such service or initiative on a regional basis; (D) the organization that would be responsible for regional service or initiative delivery; (E) a description of the population that would be served; (F) the manner in which regional service or initiative delivery will achieve cost savings [economies of scale] and any resulting efficiencies; ~~[(G) the amount by which participating municipalities will reduce their mill rates as a result of savings realized;]~~ (H G) a cost benefit analysis for the provision of the service or initiative by each participating municipality and by the entity or board of education submitting the proposal; (I H) a plan of implementation for delivery of the service or initiative on a regional basis, and: (I) a commitment of the participating towns to sustain the regional plan after the grant has been expended; (J) a resolution endorsing such proposal approved by the legislative body of each participating municipality; and (K) an explanation of the potential legal obstacles, if any, to the regional provision of the service or initiative.

(d) On or before December 1, 2019, and annually thereafter, the Connecticut Advisory Commission on Intergovernmental Relations established pursuant to section 2-79a, as amended by this act, shall recommend to the secretary focus areas for the use of regional performance incentive program funds as may be available. The secretary shall give priority to grant proposals consistent with the focus areas established by the Connecticut Advisory Commission on Intergovernmental Relations to a regional council of governments, a regional educational service center or any combination thereof for the purpose of administering any such proposal.

(2) The secretary shall review each proposal and shall award grants for proposals the secretary determines best meet the requirements of this section. In awarding such grants, the secretary shall give priority to a proposal submitted by (A) any entity specified in subsection (a) of this section that includes participation of ~~[all]~~ not less than sixty-percent of the member municipalities of such entity, and which may increase the purchasing power of participating municipalities or provide a cost savings initiative resulting in a decrease in expenses of such municipalities, allowing such municipalities to lower property taxes, ~~[(B) any economic development district, and (C) any local or regional board of education].~~

~~[(d) On or before December 31, 2013, and annually thereafter until December 31, 2018, in addition to any proposal submitted pursuant to this section, any municipality or regional council~~

of governments may apply to the secretary for a grant to fund: (1) Operating costs associated with connecting to the state-wide high speed, flexible network developed pursuant to section 4d-80, including the costs to connect at the same rate as other government entities served by such network; and (2) capital cost associated with connecting to such network, including expenses associated with building out the internal fiber network connections required to connect to such network, provided the secretary shall make any such grant available in accordance with the two-year schedule by which the Bureau of Enterprise Systems and Technology recommends connecting each municipality and regional council of governments to such network. Any municipality or regional council of governments shall submit each application in the form and manner the secretary prescribes.]

(e) The secretary shall submit to the Governor and the joint standing ~~[committee]~~ committees of the General Assembly having cognizance of matters relating to planning and development and finance, revenue and bonding a report on the grants provided pursuant to this section. Each such report shall include information on the amount of each grant, and the potential of each grant for leveraging other public and private investments. The secretary shall submit a report for the preceding fiscal year ~~[commencing July 1, 2011, not later than February 1, 2012, and shall submit a report for each subsequent fiscal year]~~ not later than the first day of ~~[March]~~ November in such subsequent fiscal year. ~~[Such reports shall include the property tax reductions achieved by means of the program established pursuant to this section.]~~